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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/560,002

12/08/2005

Bruce Duncan

GB 030091

2734

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

FANTU, YALKEW

ART UNIT

PAPER NUMBER

2838

MAIL DATE

DELIVERY MODE

08/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No.	Applicant(s)	
	10/560,002	DUNCAN ET AL.	
	Examiner	Art Unit	
	Yalkew Fantu	2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's election without traverse of claim 1-18 in the reply filed on 6/19/2007 is acknowledged.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 and 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Svensson (US 6,429,622) in view of Varadharajan et al (US 5,887,063).

With respect to claims 1 and 9, Svensson discloses a portable electronic device (fig.2A, 200) comprising: means for receiving a rechargeable battery (fig.3, 380); means for receiving compatibility data, over a wireless communication link (col. 4, lines 15-20), a battery charger (fig. 1, 130); and means for using said compatibility data to detect the presence of a battery charger (130) compatible with the portable electronic device (col. 4, lines 14-19).

Svensson, however, does not expressly disclose remotely located battery charger (130). Tuttle, on the other hand, discloses a remotely located battery charger (fig. 1, 10; col. 2, lines 55-64).

Svensson and Tuttle are analogous arts because they are from the same field of endeavor namely battery operated electronic device and recharging secondary battery. It would have been obvious to provide a remotely charging means to a portable battery

operating electronic device of Svensson as taught by Tuttle to ensure proper operation of the electronic device when the battery capacity decreases to the point where charging the rechargeable battery is required.

With respect to claims 2 and 12, Svensson discloses the device of claim 1 in which the means for receiving compatibility data comprises a short range wireless device (col. 4, lines 26-28).

Regarding claims 3 and 4, Svensson discloses in which the short range wireless device (col. 4, lines 26-28) comprises one of a Bluetooth module, an IEEE 802.11 module, or an infrared module, adapted to communicate with an active wireless module (col. 4, line 22) in the charger (130). Besides, Tuttle discloses that the means for receiving compatibility data comprises an RFID transceiver, adapted to communicate with a passive wireless device (col. 2, lines 17-20).

As to claims 10,11, 13 and 14, Svensson discloses that compatibility data is inhibited when the charge level of the battery (11) of the portable electronic device is greater than a predetermined amount (col. 5, lines 48-56); Tuttle, on the other hand, discloses receiving compatibility data operates only in response to a transmission from a compatible remotely located battery charger (col. 2, lines 58-65)(claim 13); and the compatibility data includes a predetermined code sequence indicating compatibility between the charger and the portable electronic device (col. 2, lines 18-50)(claim 14).

With respect to claims 15 and 16, Svensson discloses that the compatibility data includes one or more charge parameter including: battery capacity, battery chemistry, charging voltage and/or current, charging pattern, interconnection configuration,


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manufacturer, current status, charge time remaining to availability, charge tariff, charger location (col. 4, lines 13-17); and the portable electronic device is any one of a mobile telephone, a personal digital assistant, a digital camera, a notebook computer system, a personal audio device, a personal video device or a hybrid of any one or more of the above with any other electronic device (see col. 4, lines 57-64).

Claims 5-8 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Svensson in view of Varadharajan et al, further in view of Gartstein et al (US 2002/0001745).

With respect to claims 5-8, combined references of Svensson and Tuttle disclose the device of claim 1, but do not disclose further including an alert device for alerting the user in which the alert device is adapted to generate an audible, a visual and a vibration output. Gartstein et al., however, discloses alert device is adapted to generate an audible, a visual and a vibration output (see par. 0012). It would have been obvious to modify Svensson device to have added alerting device so that user can hear, see or feel the existence of a detected charger to charge the rechargeable battery, and user also learn about the deteriorating condition of the battery.

Regarding claims 17 and 18, combined references of Svensson, Tuttle and Gartstein disclose the device of claim 5. Besides, Gartstein discloses alert device is adapted to notify the user of the existence of a detected battery charger upon existence of predetermined conditions (par. 0052); and further predetermined conditions comprise detecting the presence of the charger for an extended period of time (par. 0134)



BAO Q. VU
PRIMARY EXAMINER